

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARTIN J. WALSH,
*Secretary of Labor,*¹
Plaintiff

v.

EAST PENN MANUFACTURING
CO., INC.,
Defendant

CIVIL ACTION

No. 18-1194

ORDER

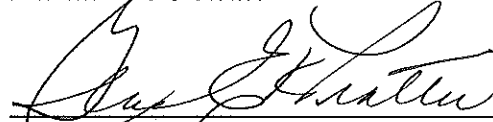
AND NOW, this 28 day of October, 2022, upon consideration of East Penn's Motion to Exclude Witnesses Not Disclosed by Name on the Secretary's May 4 Trial Witness List (Doc. No. 322), the Secretary's Response in Opposition (Doc. No. 323), the status conference held by this Court on June 23, 2022, and East Penn's Motion to Compel the Secretary to Disclose the Identity of the Secret Witnesses on His Witness List (Doc. No. 404), and for the reasons set forth in the accompanying Memorandum, it is **ORDERED** that:

1. East Penn's Motion to Exclude Witnesses (Doc. No. 322) is **DENIED**.
2. East Penn's Motion to Compel (Doc. No. 404) is **GRANTED** as described in the accompanying Memorandum and herein.

¹ The latest Secretary of Labor, Martin J. Walsh, is substituted for Eugene Scalia as the plaintiff in this action. Fed. R. Civ. P. 25(d).

3. the Secretary shall provide the unredacted names of all individuals set forth on the witness list included in the Secretary's Trial Plan (Doc. No. 320) on or before **November 18, 2022**, or, alternatively, remove such individuals from the witness list or present such individuals to the Court for *in camera ex parte* interviews.
4. the Secretary shall provide to East Penn a list of witnesses he intends to call in the first week of trial on or before **January 13, 2023**.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Gene E.K. Fratter", written over a horizontal line.

GENE E.K. FRATTER

UNITED STATES DISTRICT JUDGE